

BRIAN M. BOYNTON
Acting Assistant Attorney General
SCOTT ERIK ASPHAUG
Acting United States Attorney
ALEXANDER K. HAAS
Director, Federal Programs Branch
BRIGHAM J. BOWEN
Assistant Director, Federal Programs Branch
MICHAEL P. CLENDENEN (DC 1660091)
JORDAN L. VON BOKERN (DC 1032962)
Trial Attorneys
U.S. Department of Justice
Civil Division, Federal Programs Branch
1100 L Street, NW
Washington, D.C. 20530
Tel.: (202) 353-0693
Fax: (202) 616-8460

Attorneys for Defendants

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
PORTLAND DIVISION

PHILIP WOLFE, *et al.*,

Plaintiffs,

v.

CITY OF PORTLAND, a municipal corporation, *et al.*,

Defendants.

Case No. 3:20-cv-01882-SI

NOTICE OF SUPPLEMENTAL AUTHORITY

Defendants Donald Washington and Alejandro Mayorkas, in their official capacities, respectfully request that the Court take notice of the attached Opinion and Order issued on May 11, 2021 in *Western States Center, Inc. v. U.S. Department of Homeland Security*, 20-cv-01175-

JR (D. Or.). Judge Mosman's Order dismisses, with prejudice, claims against Federal Defendants related to the same law enforcement response to protest and unrest in Portland that is broadly at issue in this case. The Order holds that the claims¹ are moot because "circumstances have changed dramatically" since the fall of 2020 when Judge Mosman considered Plaintiffs' motion for preliminary injunction. Order, ECF No. 99 at 1.

Dated: May 12, 2021

BRIAN M. BOYNTON
Acting Assistant Attorney General

SCOTT E. ASPHAUG
Acting United States Attorney

ALEXANDER K. HAAS
Director, Federal Programs Branch

BRIGHAM J. BOWEN
Assistant Branch Director

/s/ Michael P. Clendenen
MICHAEL P. CLENDENEN (DC 1660091)
JORDAN L. VON BOKERN (DC 1032962)
Trial Attorneys
United States Department of Justice
Civil Division, Federal Programs Branch
1100 L Street NW
Washington, DC 20530
Tel: (202) 353-0693
Fax: (202) 616-8460
Email: michael.p.clendenen@usdoj.gov

Attorneys for Defendants

¹ Including claims for retaliation in violation of the First Amendment and excessive force in violation of the Fourth Amendment.